



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5655

Introduced 2/16/2012, by Rep. Esther Golar

#### SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-206.05

Amends the Nursing Home Care Act. Makes a technical change in a Section concerning a safe resident handling policy.

LRB097 18527 DRJ 63758 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Nursing Home Care Act is amended by changing  
5 Section 3-206.05 as follows:

6 (210 ILCS 45/3-206.05)

7 Sec. 3-206.05. Safe resident handling policy.

8 (a) In this ~~this~~ Section:

9 "Health care worker" means an individual providing direct  
10 resident care services who may be required to lift, transfer,  
11 reposition, or move a resident.

12 "Nurse" means an advanced practice nurse, a registered  
13 nurse, or a licensed practical nurse licensed under the Nurse  
14 Practice Act.

15 (b) A facility must adopt and ensure implementation of a  
16 policy to identify, assess, and develop strategies to control  
17 risk of injury to residents and nurses and other health care  
18 workers associated with the lifting, transferring,  
19 repositioning, or movement of a resident. The policy shall  
20 establish a process that, at a minimum, includes all of the  
21 following:

22 (1) Analysis of the risk of injury to residents and  
23 nurses and other health care workers taking into account

1 the resident handling needs of the resident populations  
2 served by the facility and the physical environment in  
3 which the resident handling and movement occurs.

4 (2) Education of nurses in the identification,  
5 assessment, and control of risks of injury to residents and  
6 nurses and other health care workers during resident  
7 handling.

8 (3) Evaluation of alternative ways to reduce risks  
9 associated with resident handling, including evaluation of  
10 equipment and the environment.

11 (4) Restriction, to the extent feasible with existing  
12 equipment and aids, of manual resident handling or movement  
13 of all or most of a resident's weight except for emergency,  
14 life-threatening, or otherwise exceptional circumstances.

15 (5) Procedures for a nurse to refuse to perform or be  
16 involved in resident handling or movement that the nurse in  
17 good faith believes will expose a resident or nurse or  
18 other health care worker to an unacceptable risk of injury.

19 (6) Development of strategies to control risk of injury  
20 to residents and nurses and other health care workers  
21 associated with the lifting, transferring, repositioning,  
22 or movement of a resident.

23 (7) In developing architectural plans for construction  
24 or remodeling of a facility or unit of a facility in which  
25 resident handling and movement occurs, consideration of  
26 the feasibility of incorporating resident handling

1 equipment or the physical space and construction design  
2 needed to incorporate that equipment.

3 (Source: P.A. 96-389, eff. 1-1-10.)